

CHARLES PASHAYAN, JR.  
5TH DISTRICT, CALIFORNIA

203 CANNON BUILDING  
WASHINGTON, DC 20518  
(202) 726-3341



COMMITTEE ON  
RULES

COMMITTEE ON  
STANDARDS OF OFFICIAL  
CONDUCT

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES

November 22, 1989

Mr. Alfred C. Sikes  
Chairman  
Federal Communication Commission  
1919 M Street NW  
Washington, D.C. 20554

Dear Mr. Sikes:

This correspondence references my letter to you of November 6, 1989. That letter requested that the Federal Communication Commission grant KMTF, the Public Television Broadcast Station in the district I represent, a translator construction permit. I should like to amend my previous letter with the following two points which detail further why I believe that the FCC should grant KMTF a translator construction permit.

First, KMTF fully understands that with the advent of high definition television (HDTV), current translators shall be rendered unusable. However, with the perfection of HDTV still a number of years away, those who cannot afford cable television shall be denied the advantages of free broadcast Public Television for an unspecified period of time. The NTIA Journal states that an "adequate signal extension may be realized by the use of major repeaters and translators retransmitting the signals of already-existing stations." Again, with the construction of the translator, KMTF shall provide the Bakersfield area with free public television.

Second, the need for this free service is cited in the same NTIA report. On page three of the introduction, Bakersfield is listed as one of 13 "major markets unserved by a broadcast public television station." Again with the translator KMTF

CHARLES PASHAYAN, JR.  
17TH DISTRICT CALIFORNIA

203 CANNON BUILDING  
WASHINGTON DC 20515  
202 225 3341



COMMITTEE ON  
RULES

COMMITTEE ON  
STANDARDS OF OFFICIAL  
CONDUCT

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES

November 6, 1989

Mr. Alfred C. Sikes  
Chairman  
Federal Communication Commission  
1919 M Street NW  
Washington, D.C. 20554

Dear Mr. Sikes:

I have been contacted by KMTF, the public television station from my district in California. The letter is in reference to a ruling by the Federal Communication Commission to deny KMTF a translator owing to a "freeze" in advanced television systems. I have included a copy of that letter for your consideration.

I should like to concur with the following points that KMTF makes in favor of granting the translator construction permit and I ask that the Federal Communication Commission reconsider KMTF's original proposal to grant that permit.

The denial of KMTF's translator application shall simply limit the availability of Public Broadcasting to those who can afford a monthly cable television bill. This limitation appears to be contrary to the founding principles of public television, that quality programming is available to the public free of charge.

Over the past 15 years, KCET's coverage of events that have focused on the San Joaquin Valley are very limited in number. KMTF's interest in the local community makes it the logical source to produce and broadcast stories of interest to Valley residents.

PLEASE REPLY TO:

FRESNO COUNTY HOME OFFICE  
102 EAST BULLARD AVE. SUITE 103  
FRESNO CALIFORNIA 93710  
209 487 9900

KINGS COUNTY HOME OFFICE  
804 NORTH MAIN  
HANFORD CALIFORNIA 93230  
209 582 2896

CLARE COUNTY HOME OFFICE  
331 WEST CENTER STREET  
SALA CALIFORNIA 93281  
209 627 2700

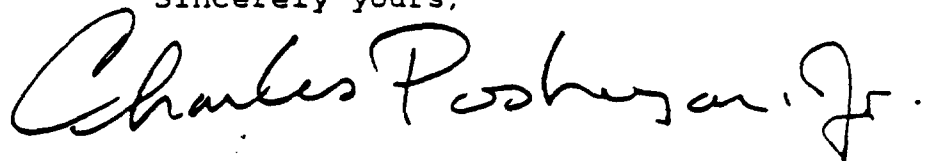
PORTERVILLE HOME OFFICE  
189 NORTH D STREET SUITE 1  
PORTERVILLE CALIFORNIA 93257  
209 782 1777

KERN COUNTY HOME OFFICE  
221 HIGH STREET  
DELANO CALIFORNIA 91335  
805 725 1377

Mr. Alfred C. Sikes  
November 6, 1989  
Page 2

Without the translator it would be impossible to bring comprehensive coverage of local community events to those unable to afford cable. I therefore respectfully request that the Federal Communication Commission again review, and grant, KMTF's application for a translator construction permit.

Sincerely yours,

A handwritten signature in cursive script that reads "Charles Poshner, Jr." The signature is written in dark ink and is positioned below the "Sincerely yours," text.

Member of Congress

Enclosures

**EXHIBIT 8**

**Congressional Letters Written in Support of  
Community Television of Southern California's  
Channel 39 Television Application**

# Arent, Fox, Kintner, Plotkin & Kahn

Washington Square 1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339

RECEIVED

Theodore D. Frank  
(202) 857-6016

May 22, 1989

MAY 23 1989

FLETCHER, HEALD  
& WILBRETH

Mr. Edward J. Minkel  
Managing Director  
Federal Communications Commission  
1919 M Street, N.W.  
Room 852  
Washington, D.C.

Dear Mr. Minkel:

I am writing on behalf of Community Television of Southern California, applicant for a new noncommercial educational television station in Bakersfield, California (FCC File No. BPET-881012KE) concerning the attached letter to Chairman Patrick from Congressman David Drier. As that letter indicates, Community Television's application is mutually exclusive with the application of KMTF Channel 18, Inc. for the same facilities. (FCC File No. BPET-881230KG). Community Television believes that this letter comes within the Note to Section 1.1202 of the Commission's rules, but it is serving in on you so that it can be placed in the appropriate Commission public file. A copy is also being served on counsel for KMTF Channel 18.

If there are any questions concerning this matter, please let me know.

Very Truly Yours,

Theodore D. Frank  
Counsel for Community of

DAVID L. DREIER  
CALIFORNIA

410 SANSON BUILDING  
WASHINGTON, DC 20515  
(202) 225-2222

112 NORTH SECOND AVENUE  
CULVERA, CA 91733  
(818) 225-9075  
(714) 225-2227



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

May 17, 1989

BANKING, FINANCE AND  
URBAN AFFAIRS  
COMMITTEE

SMALL BUSINESS  
COMMITTEE

VICE CHAIRMAN  
SUBCOMMITTEE ON  
ENERGY AND AGRICULTURE

TASK FORCE ON EDUCATION  
U.S.-ARAB INTERPARLIAMENTARY  
CAUCUS

TASK FORCE ON POW/MIAs  
JOINT TASK FORCE ON AFGHANISTAN

Commissioner Dennis R. Patrick  
Federal Communications Commis  
1919 M Street, N. W.  
Room 844  
Washington, D.C. 20534

Dear Dennis:

I am writing concerning the Commission's delay in the processing of the application (File No. 881012KE) filed by Community Television of Southern California ("KCET") for construction of a new commercial television station to operate on Channel 39 in Bakersfield, California.

That application proposes the first off-the-air public television service to one of the few remaining major metropolitan areas of the country without such service. KCET's application is subject to the freeze imposed by the Federal Communications Commission (FCC) to assure the availability of spectrum for high definition television.

However, I understand that KCET has requested a waiver of that freeze by demonstrating that grant of an application to operate on Channel 39 will not adversely affect the availability of spectrum for high definition television.

I have been advised that the waiver request has been pending before the FCC for six months and that until it is acted on, the Commission cannot begin the process of considering whether KCET's application for a competing application which has been filed by KMTF Channel 18, Inc. for the same channel be granted. This delay is thus denying the promptest possible institution of public television service in the Bakersfield area.

Thank you in advance for your attention to this matter.

Sincerely,

*David Dreier*  
David Dreier  
Member of Congress

DD:md

**Arent, Fox, Kintner, Plotkin & Kahn**

Washington Square 1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339

Theodore D. Frank  
(202) 857-6016


May 16, 1989

Richard Hildreth, Esquire  
Fletcher, Heald & Hildreth  
1225 Connecticut Avenue, N.W.  
Suite 400  
Washington, D.C. 20036

Dear Mr. Hildreth:

I am enclosing for your information a copy of a letter which Congressman William M. Thomas sent to the Federal Communications Commission concerning the application of Community Television of Southern California (KCET) for a new noncommercial educational station in Bakersfield, California. KCET received a copy of this letter only recently. Also enclosed is a copy of a letter I sent to the Commission with respect to Congressman Thomas' letter.

Very truly yours,

  
Theodore D. Frank  
Counsel for Community  
Television of Southern  
California

Enclosure

# Arent, Fox, Kintner, Plotkin & Kahn

Washington Square 1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339

Theodore D. Frank  
(202) 857-6016

May 16, 1989

Mr. Edward J. Minkel  
Managing Director  
Federal Communications Commission  
1919 M Street, N.W.  
Room 852  
Washington, D.C.

Dear Mr. Minkel:

I am writing in connection with the enclosed copy of a letter from Congressman William M. Thomas to members of the Commission in connection with the application of Community Television of Southern California for a new noncommercial educational television station to operate on Channel \*39 in Bakersfield, California. (FCC File No. BPET-881012KE). Community Television received a copy of that letter only recently. Since its application is mutually exclusive with the application of KMTF Channel 18, Inc. for the same facilities, I am forwarding a copy to you for inclusion in the appropriate Commission public files.

Sincerely yours,

Theodore D. Frank  
Counsel for Community  
Television of Southern  
California

cc: Richard Hildreth, Esquire ✓

bcc: Glenn C. Schroeder, Esquire  
Mr. Joseph J. Sands



**WILLIAM M. THOMAS**  
30th DISTRICT, CALIFORNIA

COMMITTEES:  
WAYS AND MEANS  
HOUSE ADMINISTRATION  
BUDGET

2402 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-2915



**Congress of the United States**  
**House of Representatives**

**Washington, DC 20515**

**May 8, 1989**

ADMINISTRATIVE ASSISTANT  
CATHERINE M. ABERNATHY

DISTRICT OFFICES:  
4100 TRUSTMAN AVE. #220  
SACRAMENTO, CA 95836  
(916) 327-3611

858 W. JACOBSON STREET, #118  
LANCASTER, CA 93534  
(805) 948-2624

1380 PRICE STREET, #203  
PISMO BEACH, CA 93449  
(805) 773-2523

**Commissioners**  
**Federal Communications Commission**  
**Washington, D.C. 20554**

**Dear Sirs:**

As the U.S. Congressman representing Kern County, in the southern San Joaquin Valley of California, I am writing the Federal Communication Commission on behalf of the application of KCET of Los Angeles, for ETV Channel 39 in Kern County.

KCET would help serve Kern County's economic diversification efforts. In addition, there are already nearly 7,000 KCET subscribers in Kern County. I hope you will give KCET's

CERTIFICATE OF SERVICE

I, Marnette Clemons, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that true copies of the foregoing "Opposition to Petition to Deny" were sent this 1st day of October, 1990, by first-class United States mail, postage prepaid, to the following:

\*Mr. Keith Larson  
Chief  
Low Power Television Branch  
Mass Media Bureau  
Federal Communications Commission  
Room 712  
1919 M Street, N.W.  
Washington, D.C. 20554

Theodore D. Frank, Esquire  
Arent, Fox, Kintner, Plotkin & Kahn  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339  
Counsel for Community Television  
of Southern California

  
Marnette Clemons

CERTIFICATE OF SERVICE

I, Marnette Clemons, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that true copies of the foregoing "Opposition to Petition to Deny" were sent this 6th day of November, 1990, by first-class United States mail, postage prepaid, to the following:

\*Mr. Clay Pendarvis  
Chief, Television Branch  
Mass Media Bureau  
Federal Communications Commission  
Room 700  
1919 M Street, N.W.  
Washington, D.C. 20554

Theodore D. Frank, Esquire  
Peter Tannenwald, Esquire  
Arent, Fox, Kintner, Plotkin  
& Kahn  
1050 Connecticut Avenue, N.W.  
Suite 600  
Washington, D.C. 20036  
Counsel for Community Television  
of Southern California, Inc.

\*By Hand

  
Marnette Clemons